

UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/802,535	03/17/2004	Carl J. Serman	1836-032421

28289
WEBB ZIESENHEIM LOGSDON ORKIN & HANSON, P.C.
700 KOPPERS BUILDING
436 SEVENTH AVENUE
PITTSBURGH, PA 15219

CONFIRMATION NO. 3504

FORMALITIES LETTER



OC000000012831836

Date Mailed: 06/01/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***COPY****Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$450** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

08/06/2004 FFAHAIA2 00000027 10802535

01 FC:2001	385.00	OP
02 FC:2051	65.00	OP

GJ

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>		Application Number	10/802,535
		Filing Date	March 17, 2004
		First Named Inventor	Carl J. Serman
		Art Unit	1732
		Examiner Name	Not as yet assigned.
Total Number of Pages in This Submission	14	Attorney Docket Number	1836-032421

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (1p. in trip.) <input checked="" type="checkbox"/> Fee Attached (1 p.) <input type="checkbox"/> Preliminary Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 (2pp. in trip.)	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Declaration and Power of Attorney (2 pp. - original); and copy of Notice (2 pp.).
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Gwen R. Wood, Ph.D., Registration No. 51,027
Signature	
Date	August 2, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Helen Gerace
Signature	
	Date

Date August 2, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$450.00)

<i>Complete if Known</i>	
Application Number	10/802,535
Filing Date	March 17, 2004
First Named Inventor	Carl J. Serman
Examiner Name	Not yet assigned.
Art Unit	1732
Attorney Docket No.	1836-032421

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order Other None Deposit Account:

Deposit Account Number	23-0650
Deposit Account Name	

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	\$385.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	\$385.00
SUBTOTAL (1)		(\$385.00)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	18	-20** = 0 X \$9.00 = 0	
Independent Claims	3	-3** = 0 X \$43.00 = 0	
Multiple Dependent			

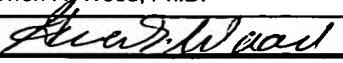
Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	**Reissue independent claims over original patent	
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\$ 0)	

**or number previously paid, if greater; For Reissues, see above

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1251 110	2251 55	Surcharge - late filing fee or oath	\$65.00
1252 420	2252 210	Surcharge - late provisional filing fee or cover sheet	
1253 950	2253 475	Non-English specification	
1254 1,480	2254 740	For filing a request for <i>ex parte</i> reexamination	
1255 2,010	2255 1,005	Requesting publication of SIR prior to Examiner action	
1401 330	2401 165	Requesting publication of SIR after Examiner action	
1402 330	2402 165	Extension for reply within first month	
1403 290	2403 145	Extension for reply within second month	
1451 1,510	1451 1,510	Extension for reply within third month	
1452 110	2452 55	Extension for reply within fourth month	
1453 1,330	2453 665	Extension for reply within fifth month	
1501 1,330	2501 665	Notice of Appeal	
1502 480	2502 240	Filing a brief in support of an appeal	
1503 640	2503 320	Request for oral hearing	
1460 130	1460 130	Petition to institute a public use proceeding	
1807 50	1807 50	Petition to revive - unavoidable	
1806 180	1806 180	Petition to revive - unintentional	
8021 40	8021 40	Utility issue fee (or reissue)	
1809 770	2809 385	Design issue fee	
1810 770	2810 385	Plant issue fee	
1811 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3)	\$65.00

SUBMITTED BY

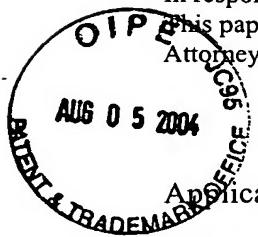
(Complete if applicable)

Name (Print/Type)	Gwen R. Wood, Ph.D.	Registration No. (Attorney/Agent)	51,027	Telephone	412-471-8815
Signature				Date	August 2, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Application No. 10/802,535
In response to USPTO correspondence of June 1, 2004
This paper dated August 2, 2004
Attorney Docket No. 1836-032421



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/802,535
Applicants : Carl J. Serman and Kary L. Valentine
Filed : March 17, 2004
Title : HIGH PERFORMANCE MICROCELLULAR FOAM AND MANUFACTURING METHOD AND APPARATUS THEREOF
Group Art Unit : 1732
Examiner : Not yet assigned.
Confirmation No. : 3504
Customer No. : 28289

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In accordance with the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b) *Filing Date Granted* dated March 17, 2004, Applicants enclose the following:

1. Fee Transmittal for FY 2004 in triplicate for purposes of calculating the filing fee;

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 2, 2004.

Helen Gerace

(Name of Person Mailing Paper)

 August 2, 2004
Signature Date

Application No. 10/802,535
In response to USPTO correspondence of June 1, 2004
This paper dated August 2, 2004
Attorney Docket No. 1836-032421

2. Declaration and Power of Attorney signed by the inventors;
3. The required copy of the "Notice" to be returned with the response; and
4. A check in the amount of \$450.00 to cover the required filing fee of \$385.00 and the surcharge of \$65.00.

Applicants were given 2 months to respond to this Notice, namely, August 1, 2004. Since August 1, 2004 was a Sunday, this response is timely filed.

The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees which may be required to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. The original and two copies of this Letter are enclosed.

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON
ORKIN & HANSON, P.C.

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